

**CITY OF TAYLORSVILLE
CITY COMMISSION
REGULAR MEETING**

July 2, 2013

The City of Taylorsville City Commission held a Special Meeting on Tuesday, July 2, 2013 at 5:00 p.m., at the City Hall Annex.

Present were:

Don Pay, Mayor
Beverly Ingram, Commissioner
Jack Proctor, Commissioner
Ellen Redmon, Commissioner
Kathy Spears, Commissioner

Staff present:

John Dale, Jr. City Attorney
Steve Biven, City Clerk
Harold Compton, Public Works Director

Randy McConnell, Comptroller
Toby Lewis, Police Chief

Item #1

Mayor Pay called the meeting to order at 5 p.m. and asked the group to join him in a brief moment of meditation followed by a recital of the Pledge of Allegiance.

Item #2 – *Consent Calendar*

Motion made by Commissioner Spears and seconded by Commissioner Ingram to approve the Consent Calendar for June, 2013. This approved the minutes of the June 3, 2013, June 4, 2013 (Special Meeting), June 4, 2013 (Regular Meeting) and June 13, 2013 meeting and payment of General Fund and Water/Sewer Fund June 2013 bills. **Motion carried 5 – 0.**

Item #3- *Comments by the Mayor*

Mayor Pay reported that KACO and KLC will be having a conference regarding the new Alcohol Legislation. He also informed the Commission that he had appointed Mike Driscoll as the city's representative on the Tax Commission.

Item #4 – *Committee Reports*

a) **Main Street** (Lynda Street & Annette King)

Ms. Street discussed the planters and benches still needing to be sold and asked for 50% of the revenue from those sales. **Motion made by Commissioner Proctor and seconded by Commissioner Spears to accept the resignation of Phyllis Williams as the Main Street Committee Board President. Motion carried 5-0.**

Ms. King discussed the recent regional manager's conference hosted by our Main Street Committee. At the moment we are classified as a "working" city and are ineligible to move into the "certified" city category. She is hoping to have the city classified as an "affiliate" status by January. She also stated that we must be part of the national program. **Motion made by Commissioner Ingram and seconded by Commissioner Spears to approve payment to Ms. King for hours worked in June.** Motion carried 5-0.

Motion made by Commissioner Redmon and seconded by Commissioner Spears to approve lease agreement with the Chamber of Commerce for office space for the Main street program. Motion carried 5-0.

b) *Engineering Projects* (Sisler-Maggard Engineering, PLLC)

Joe Sisler of SME was present to discuss the Annexation Ordinances that he was working on with the City Attorney. He also stated that he had bought a bench on Main Street to assist the Main Street Committee with its fund raising goal.

Item #5 - *Public Comment*

- a) Evelyn McKemie spoke regarding an open records request
- b) John Shircliffe was not present.
- c) Judy Shircliffe was not present
- d) Carl Darnell expressed concern over the parking on Main Street and suggested that the city purchase the lot behind the Chamber of Commerce where the school buses are parked. Attorney Dale mentioned that the owner had a reversionary clause with that property if ever not utilized by the school.

Item #6 – *Old Business*

a) Claude Owens spoke regarding the old sewer plant. He stated that there have been improvements made on the building. He would like for the condemnation to be lifted on the property. Mr. Owen stated he has a buyer for the property and he needs this issue resolved. Mayor Pay would like to see documentation of the work and the electrical inspection by Steve Clark. Mr. Owen is to give documentation to Clerk Biven.

b) Clerk Biven stated that there was a copy of the final numbers for the Highview Road Upgrade in the commissioner's packets. The original cost was thought to be close to \$159,000 but after all the work is done, there is about \$7,930 remaining, so the City would not need to spend the Road Aid Funds or expend the total amount that was in the account for a bond. The remaining amount could be used for future work in Highview.

Item #7 – *New Business*

a) Clerk Biven reported that he had met with Principal Curt Haun and Asst. Principal Steve Rucker in regards to a Block Grant being sought by the school. They will be asking for support for this grant. All of the details are still being worked out.

b) Chief Lewis spoke about David Luttrell requesting road closure for part of Garrard Street on August 3, 2013 from 3:00 until 12:00 (midnight). **Motion was made by Commissioner Proctor and seconded by Commissioner Ingram to allow Mr. Luttrell to close part of Garrard Street on August 3rd.** Motion carried with 5-0.

c) Jonathan O'Dell was present to request a sewer tap payment plan. He stated that he is fine with a lien being placed on the property if that is necessary to have the \$3,000 sewer tap to be placed on a payment plan. Mr. O'Dell stated he would like to have a year to pay for the sewer tap. After much discussion, Mayor Pay stated that the commission would need more time to discuss the issue.

Mr. Dale informed Mr. Hodge, who was now present, of their discussion with Mr. Owen over the old sewer plant building.

d) Clerk Biven informed the commission of the Amendment to the Lease Agreement with AT&T to modify equipment on the Hillsborough Water tower. Clerk Biven, Mr. Dale and Mr. Compton have met with them to see exactly what they would be doing. AT&T was going to do a structural analysis and Mr. Biven stated that they would like to see that analysis. **Motion was made by Commissioner Proctor and seconded by Mayor Pay to approve the AT&T Lease Amendment contingent on the City receiving a copy of the structural analysis. Motion carried 5-0.**

The commission took a recess at this time.

e) Clerk Biven informed the commission of the Memorandum on the Business License Ordinance. Clerk Biven wanted to make sure the ordinance spell out what and how Officer Bledsoe is suppose to be enforcing the ordinance. Commissioner Ingram stated she would like to form a committee of Shelia Hardin, Melinda Pulliam, Officer Bledsoe and herself to look over the ordinance and updating it. Commissioner Ingram to bring any changes back to the commission.

f) Mayor Pay informed the commission that Mr. Gary Woods has resigned from Planning and Zoning. Mayor Pay would like to recommend Jan Deigl for that position which runs until December 2015. **Motion was made by Commissioner Spears and seconded by Commissioner Proctor to approve Jan Deigl to Planning and Zoning to fill out the rest of Mr. Woods' term. Motion carried 5-0.**

g) Department Reports

i) Financial Report -Mr. McConnell, City Comptroller provided commission with a Cash Analysis Report and Overtime Report. The City is fully collateralized at all three banks. The General Fund Balance Sheet and Income Statement were also provided.

Revenues: Year to date Property Taxes is \$146,780 net of discounts. Budget FY2013 – \$150,000. Year to date Insurance Premium Revenue is \$163,672. Budget FY13 - \$180,000. Year to date Occupational License receipts are \$257,147. Budget FY2013 - \$250,000. Year to date Business License Receipts are \$21,188. Year to date Unloading License receipts are \$7,750.

Remaining Balance Highview Road Maintenance Bond is \$7,942.96.

The City has paid out approximately \$22,000 for the Hazard Mitigation. Mr. McConnell is hoping to be reimbursed for this amount.

Expenses: Year to date Street Repair and Maintenance Expenses is \$33,573. Total budget for FY2013 is \$37,851. Year to date expenses related to the Main Street Phase II Project are \$249,264. The Main Street Project is now closed. Police overtime is \$5,610 over budget and is offset by a reimbursement of \$4,283.

Water and Sewer Balance Sheet and Income Statements were provided for commission. The year to date water revenue is \$3,419,765 which is \$100,235 under budget. Year to date meter set revenue of \$82,000 is \$20,000 under budget. Year to date Sewer Revenue of \$305,245 is \$17,422 under budget. Year to date Sewer Impact Fees of \$15,000 are \$18,000 under budget.

Expenses: Year to Date Louisville Water Expense of \$1,015,426 is \$124,574 under budget. The Road Aid Fund balance is currently \$112,831 at the end of June.

The Auditor was here to observe the inventory. He will return in August to begin the audit.

ii) Public Safety – Chief Lewis stated that there was an overtime report and schedule in the commissioner's packet. He stated that the schedule may need to be shifted a little bit because of two officers being to school and some taking vacation.

Clerk Lewis wanted to discuss the two hour parking on Main Street issue. He said he would not be opposed to taking the two hour parking signs down. Mr. Dale asks if there was anyone that actually stays two hours in Taylorsville. Chief Lewis stated that some of the employees working at the court house and other businesses in town park on Main Street. Chief Lewis is asking for direction from the commission. **Motion was made by Commissioner Spears and seconded by Commissioner Redmon to remove the two hour parking signs on Main Street. Motion carried 5-0.**

Class Ds – There will be four (4) gentlemen working this coming weekend. They will be working in medians along Little Mount Road, Highway 44, and the rest of the work will be inside the floodwall doing general cleanup work.

In regards to Code Enforcement, Chief Lewis stated that the officers are already maximizing hours. Officer Jewell is off on vacation, two other officers at school and he is trying to keep Officer Bledsoe hours down due to retirement issues. Unless the City backs off of Code Enforcement right now it would either be Officer Bledsoe working over or another officer working overtime. Commissioner Spears stated she thought the Class Ds were to be on Saturdays only. Chief Lewis said that after this weekend he could back the Class Ds hours down to just Saturdays.

There have been new stop signs placed at the intersection of the Hillview Apartments and Signature Health Care by private businesses. Chief Lewis reported other signs that have been hit or knocked down that need to be repaired. Commissioner Ingram stated that she had spoken with Bruce Deigl about replacing those. Clerk Biven and Mr. Compton to speak with Mr. Deigl regarding this issue.

Chief Nation was not present. Clerk Biven stated there was a fire report in the commissioner's packet.

iii) Utility – Mr. Compton explained the CCR Report to the commission. He stated that the report was done online this year. The EPA considers everything but H2O (water) to be contaminated. You are required by the EPA to report everything that is in the water whether it is fluoride, lead, nitrate etc. This is the main reason that our report mentioned 12 contaminants. This was a very good report. The new notification process saved the City approximately \$4500.

The fence at the sewer plant is complete. There is still some clean up that needs to be done.

Mr. Compton stated he went to Maple Avenue and found three property stakes from curb to curb. If the sidewalk goes in on the right a way it will be closet to those residents' front doors. They are going to look at some storm drainage issues also related to Maple Avenue.

iv) General Government - Commissioner Ingram stated there was an information sheet from KLC in their packets.

There was no other New Business at this time.

Item #8 – *Legal (City Attorney)*

Mr. Dale stated that the City needed to get a Dedication of Streets for Highview from James Allen Tipton, the developer before the City could formally accept those streets.

There is a request for Annexation in regards to the O'Dell property. Staff will need to meet with him to sign the annexation.

Mr. Dale had the first reading of the intent to De-annex 147.25 acres of property in River Heights from the City of Taylorsville. No vote was needed at this time.

Mr. Dale had five (5) resolutions to the Secretary of State that the commission needed to adopt. They are in regards to updating Ordinance #89, Ordinance #93, Ordinance #137, Ordinance #177 and Ordinance #183 as now required for annexations. Clerk Biven explained why these ordinances needed to be filed. **Motion was made by Commissioner Spears and seconded by Commissioner Proctor to approve the Resolutions/ Municipal Orders #89, #93, #137, #177 and #183. Motion carried 5-0.**

Item #9 – *Elected Official Comments (Mayor & City Commissioners)*

Commissioner Proctor expressed his concerns over the two hours parking on Main Street. He feels that the business owners should have some input on the issue.

Commissioner Ingram stated that the county had a first reading on the liquor by the drink issue. She was not sure what their first reading consisted of. Mayor Pay spoke with Judge Karrer about this issue. He explained that the county had a first reading regarding the maximum fees allowable under that fee schedule according to the KRS.

Commissioner Spears expressed that she had received a phone call concerning the road behind Dairy Queen to the shopping center. She asked if the City could do anything about this issue. It is private property. Mr. Dale stated that if the owner of the property gives the City permission, the City can repair the property. **Motion was made by Commissioner Redmon and seconded by Commissioner Spears to send a letter to the property owners giving the owners 15 days to respond and tell the City what their actions are going to be, if any, to repair the road or if the City repairs them, they will be sent a bill and a lien will be placed in the property, due to safety issues.** After much discussion, Motion passed 5-0.

Commissioner Spears stated that the commission needed to look into applying for a sidewalk grant again.

Commissioner Spears expressed her concerns about the motorized vehicles. Can the City make this a safer area? Mr. Dale stated the City could send a resolution to the State to see if they will consider maybe placing a sidewalk out by the Friendship House. Mr. Dale is to draw up a resolution.

Commissioner Spears wanted to revisit the sewer issue brought forth by Mr. O'Dell. **Motion made by Commissioner Redmon and seconded by Commissioner Spears to allow Jonathan O'Dell, as an existing commercial property owner, to pay \$500 down for a sewer tap with the balance due in equal payments over 6 months from the date of signing an agreement and to place a lien on the existing property.** Motion carried 5-0.

Commissioner Redmon discussed a drainage problem on Reasor Ave. near the school.

ADJOURN TO EXECUTIVE SESSION

Item #10 - **Motion was made by Commissioner Spears and seconded by Commissioner Redmon to adjourn to Executive Session** under provisions of KRS 61.810 (1) (b) **Deliberations on the future acquisition or sale of real property by a public agency (c) Discussions of proposed or pending litigation against or on behalf of the public agency (f) Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee.** Motion carried with 5 - 0 vote.

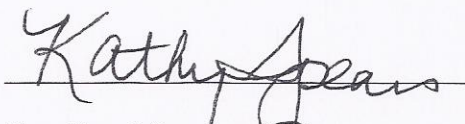
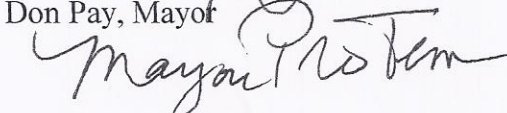
Mayor Pay excused himself from the meeting in executive session.

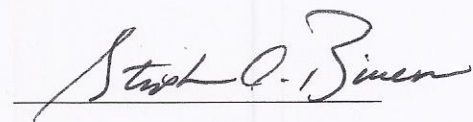
RETURN TO OPEN SESSION

Item #11 - **Motion was made by Commissioner Proctor and seconded by Commissioner Spears to return to open session.** Motion carried with a vote of 4-0.

ADJOURN MEETING

Item # 12- **Motion was made by Commissioner Proctor and seconded by Commissioner Redmon to adjourn.** Motion carried with a vote of 4-0.


Don Pay, Mayor



Stephen A. Biven, City Clerk